

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Johanna Fernandez Pena,

Plaintiff,

—v—

Commissioner of Social Security,

Defendant.

20-cv-7897 (AJN) (SLC)

ORDER

ALISON J. NATHAN, District Judge:

Before the Court is Judge Cave’s Report and Recommendation recommending that the Court grant the Defendant’s motion for judgment on the pleadings under Rule 12(c). *See* Dkt. No. 24.

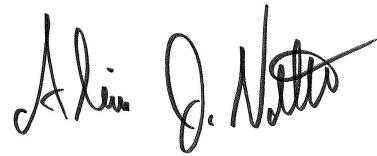
When considering the findings and recommendations of a Magistrate Judge, the Court may “accept, reject, or modify [them], in whole or in part.” 28 U.S.C. § 636(b)(1). The Court must make a de novo determination of any portions of a magistrate’s report or findings to which a party raises an objection, and reviews only for “clear error on the face of the record” when there are no objections to the Report and Recommendation. *Brennan v. Colvin*, No. 13-cv-6338 (AJN), 2015 WL 1402204, at *1 (S.D.N.Y. Mar. 25, 2015); *see also Hicks v. Ercole*, No. 09-cv-2531 (AJN) (MHD), 2015 WL 1266800, at *1 (S.D.N.Y. Mar. 18, 2015); *Gomez v. Brown*, 655 F.Supp.2d 332, 341 (S.D.N.Y. 2009). Clear error is found only when, upon review of the entire record, the Court is left with “the definite and firm conviction that a mistake has been committed.” *Laster v. Mancini*, No. 07-CV-8265 (DAB) (MHD), 2013 WL 5405468, at *2 (S.D.N.Y. Sept. 25, 2013) (quoting *United States v. Snow*, 462 F.3d 55, 72 (2d Cir. 2006)).

Objections to Judge Cave's Report and Recommendation were due by January 12, 2022. *See* Dkt. No. 29 at 37. As of January 31, 2022, no objections have been filed. The Court thus reviews the Report and Recommendation for clear error, and finds none.

The Court therefore adopts the Report and Recommendation in its entirety and GRANTS Defendant's motion to judgment on the pleadings for the reasons provided in Judge Cave's Report and Recommendation. The Clerk of Court is respectfully ordered to close this case.

SO ORDERED.

Dated: January 31, 2022
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan", written over a horizontal line.

ALISON J. NATHAN
United States District Judge